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K327

ACTION IO-00

RELEASED IN FULL

INFO	LOG-00	AF-00	AID-00	CIAE-00	INL-00	DODE-00	WHA-00
	SRPP-00	EAP-00	EB-00	EUR-00	UTED-00	H-00	TEDE-00
	INR-00	L-00	NEA-00	NSAE-00	NSCE-00	OIC-00	OIG-00
	PA-00	PER-00	PRS-00	P-00	SP-00	SS-00	STR-00
	TEST-00	TRSE-00	USIE-00	SA-00	PRM-00	DRL-00	G-00
	SAS-00	/000W					

-----34B491 241643Z /38

R 241609Z JUN 04
FM USMISSION GENEVA
TO SECSTATE WASHDC 1206
INFO USMISSION USUN NEW YORK

UNCLAS GENEVA 001800

STATE FOR IO/SHA, DRL/MLA, L/HRR

E.O. 12958: N/A
TAGS: PHUM, UNHRC-1
SUBJECT: LETTER FROM WORKING GROUP ON ENFORCED OR
INVOLUNTARY DISAPPEARANCES

REF: A. GENEVA 4539 (2002)
B. GENEVA 1802 (2003)
C. SECSTATE 106790
D. GENEVA 3374 (2003)

1. ON JUNE 22, MISSION RECEIVED A LETTER (PARA 2) ADDRESSED
TO AMBASSADOR MOLEY FROM DIEGO GARCIA SAYAN, CHAIRMAN OF THE
WORKING GROUP (WG) ON ENFORCED OR INVOLUNTARY DISAPPEARANCES
THAT EFFECTIVELY CLOSES CASE NO. 1001388 REGARDING MR. MAHER
ARAR (REFS A-C). THE WG WILL MEET IN CLOSED SESSION IN
GENEVA FROM AUGUST 16-20, 2004, TO CONSIDER CASES WHICH HAVE
BEEN SUBMITTED TO IT. IT WILL ALSO MEET WITH INTERESTED
STATES, BY APPOINTMENT ONLY AT THE REQUEST OF THE STATE, FROM
AUGUST 16 TO 18. THE U.S. NOW HAS ONLY ONE CASE PENDING
BEFORE THE WG (REF D), WHICH COULD BE CONSIDERED AT THIS NEXT
SESSION. THE CASE CONCERNS THE PROTECTION OF EVIDENCE FOR
PAST DISAPPEARANCES IN IRAQ.

2. BEGIN TEXT OF LETTER DATED JUNE 11, 2004:

DEAR MR. AMBASSADOR,

AT THE REQUEST AND ON BEHALF OF THE CHAIRMAN OF THE WORKING
GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES, I HAVE THE
HONOUR TO COMMUNICATE THE FOLLOWING LETTER ADDRESSED TO YOU:

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 15 MAY 2009 200706444

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"DEAR MR. AMBASSADOR,

I HAVE THE HONOUR TO WRITE TO YOU ON BEHALF OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES, WHICH HELD ITS SEVENTY-SECOND SESSION FROM 24 TO 28 MAY 2004, AT THE UNITED NATIONS OFFICE IN GENEVA.

AT THAT SESSION, THE WORKING GROUP CONSIDERED THE CONTENT OF THE LETTER DATED 14 APRIL 2004 WHICH IT HAD RECEIVED FROM YOUR MISSION, AND ASKED ME TO EXPRESS ITS APPRECIATION FOR THE REPLY GIVEN BY YOUR GOVERNMENT.

BASED ON THIS REPLY, THE CASE OF MAHER ARAR (CASE NO. 10012388), WILL BE CONSIDERED CLARIFIED, PROVIDED THAT WITHIN SIX MONTHS OF THE DATE ON WHICH THE REPLY WAS COMMUNICATED TO THEM, THE RESPECTIVE FAMILIES DO NOT MAKE ANY OBSERVATIONS WHICH REQUIRE FURTHER CONSIDERATION BY THE WORKING GROUP. AT THAT SESSION, THE WORKING GROUP DECIDED TO REMIND YOUR GOVERNMENT OF THIS ONE OUTSTANDING CASE TRANSMITTED IN THE PAST, IN THE EARNEST HOPE THAT ALL POSSIBLE EFFORTS WILL BE MADE TO CLARIFY IT. (ANNEX I)

I WOULD LIKE TO TAKE THIS OPPORTUNITY TO REMIND TO YOUR GOVERNMENT THAT THE WORKING GROUP WILL HOLD ITS SEVENTY-THIRD SESSION AT THE UNITED NATIONS OFFICE AT GENEVA FROM 16 TO 20 AUGUST 2004. IT WOULD THEREFORE, BE VERY MUCH APPRECIATED IF ANY WRITTEN INFORMATION WHICH YOUR GOVERNMENT WISHES TO SUBMIT FOR THE WORKING GROUP'S CONSIDERATION, COULD BE RECEIVED, IF AT ALL POSSIBLE, BY 30 JULY 2004.

IN CONFORMITY WITH ITS USUAL PRACTICE, THE WORKING GROUP IS PREPARED TO RECEIVE REPRESENTATIVES OF INTERESTED GOVERNMENTS DURING THE FIRST THREE DAYS OF ITS NEXT SESSION, I.E.: FROM 16 TO 18 AUGUST 2004. SHOULD YOUR GOVERNMENT WISH TO BE REPRESENTED AT THE FORTHCOMING SESSION, I WOULD APPRECIATE YOUR CONTACTING THE GROUP'S SECRETARIAT AT THE UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS IN GENEVA (TEL: 022.917.9176), IN ORDER TO SCHEDULE AN APPOINTMENT WITH THE GROUP.

I REMAIN,
DEAR MR. AMBASSADOR,

YOURS SINCERELY,

DIEGO GARCIA SAYAN
CHAIRMAN
WORKING GROUP ON ENFORCED
OR INVOLUNTARY DISAPPEARANCES"

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I REMAIN DEAR MR. AMBASSADOR,

YOURS SINCERELY,

TANYA SMITH

SECRETARY A.I.

WORKING GROUP ON ENFORCED

OR INVOLUNTARY DISAPPEARANCES

END TEXT.

3. MISSION WILL FAX THE COMMUNICATION TO IO/SHA, ATTENTION
DIRECTOR.

MOLEY

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